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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Case No. 2:23-cv-01861-JAD-BNW

Plaintiff,

Stipulation and Order to Extend Discovery Deadlines

Matthew Okeke, M.D.,

(Fourth Request)

Defendant.

Pursuant to LR IA 6-1 and LR 26-3, the parties request a sixty (60) day extension of the remaining discovery deadlines, which is supported by grounds and circumstances set forth below. This is the fourth request for an extension of the discovery deadlines.

DISCOVERY COMPLETED

The parties have completed the following discovery:

1. Plaintiff made its initial disclosures on March 12, 2024.
2. Plaintiff served its first set of requests for production of documents, first set of interrogatories and first set of requests for admission to Plaintiff on April 25, 2024.
3. Defendant responded to Plaintiff's first requests for admission on May 23,

DISCOVERY REMAINING

27 The parties had reached a settlement agreement in principle and planned to finalize
28 settlement paperwork. After months of waiting on Defendant to execute settlement

1 paperwork, Plaintiff gave Defendant until November 8, 2024 to complete the paperwork
2 and make his first payment. Defendant never responded and on November 13, 2024
3 Plaintiff rescinded the settlement offer and noticed Defendant's deposition. On November
4 15, 2024, Defendant's undersigned counsel indicated he would be filing a motion to
5 withdraw as counsel for Plaintiff. As of the date of this filing, Plaintiff's counsel has not yet
6 filed his motion to withdraw as Defendant's counsel.

7 Plaintiff's responses to requests for production, and first set of interrogatories remain
8 to be completed. Expert disclosures remain to be completed. Plaintiff will need to schedule
9 the deposition of Defendant.

10 The parties reserve the right to engage in any other discovery permitted by
11 applicable rules and within the revised discovery deadlines if the court approves this
12 stipulation.

13 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

14 The parties have been trying to resolve this case since April 2024. Between April
15 and June 2024, the parties exchanged several settlement offers and counteroffers. The
16 settlement negotiations were paused for short periods of time in May and June, due to
17 Defendant and his counsel being out of the country. The settlement negotiations resumed
18 in July and in the beginning of August, the parties agreed in principle on the settlement
19 conditions. In August, Plaintiff sent Defendant's counsel settlement documents to execute.
20 Plaintiff waited for the settlement documents to be returned from August to November.

21 The parties requested a third extension of the discovery deadlines which this Court
22 granted on October 8, 2024. ECF No. 18. Due to the continuing settlement negotiations
23 discovery actions were stopped.

24 The parties respectfully request that the remaining discovery deadlines, including
25 the initial expert disclosures, be extended with sixty (60) days.

26 The parties agree that neither party will be prejudiced by the proposed extension,
27 and that they may be prejudiced should the current schedule remain in place. The parties
28 agree the extension is sought in good faith.

1 **EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER**

2 The following table sets forth the current deadlines and the proposed sixty (60) day
 3 extension of discovery deadlines that are the subject of this stipulated request:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Initial Expert Disclosure	November 26, 2024	January 27, 2025
Rebuttal Expert Report(s)	January 27, 2025	February 26, 2025
Discovery Cutoff	February 26, 2025	March 28, 2025
Dispositive Motions	March 28, 2025	April 28, 2025
Proposed Joint Pretrial Order	April 28, 2025	May 28, 2025 ¹

11 This request for an extension of time is not sought for any improper purpose
 12 including delay. This is the second request for an extension of discovery deadlines in this
 13 matter.

14 Respectfully submitted this 19th day of November 2024.

15 **LAW OFFICES OF LIBO
AGWARA, LTD**

16 /s/ Liborius Agwara
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23 **IT IS SO ORDERED:**

24 
 UNITED STATES MAGISTRATE JUDGE

25 **DATED: 11/20/2024**

26
 27 ¹ However, if dispositive motions were to be filed, the deadline for the Proposed Joint Pretrial Order would be
 28 deferred until 30 days after the Court rules on the dispositive motions.